

## O P I N I O N


In the previous Opinion of this Court dismissing Plaintiff's Bivens and FTCA claims (docket entry 5), this Court found that:

(1) As Plaintiff had not named proper defendants, the complaint, as to the unknown defendants, was dismissed without prejudice

(Opinion, p. 9); (2) the FTCA claims were dismissed, without prejudice (Opinion, p. 12); and (3) any asylum claims were dismissed, with prejudice (Opinion, p. 13). However, in the Order accompanying the Opinion (docket entry 6), this Court dismissed Plaintiff's FTCA claims, without prejudice, and dismissed the remainder of the complaint with prejudice.

The Court sees Plaintiff's confusion. Therefore, the Court will grant Plaintiff's motion, vacate the February 28, 2008, and enter a new order stating that: (1) Plaintiff's FTCA claims are dismissed, without prejudice; (2) Plaintiff's asylum claims are dismissed, with prejudice; and (3) any other claims asserted by Plaintiff are dismissed, without prejudice.

As appropriate Order accompanies this Opinion.



DENNIS M. CAVANAUGH  
United States District Judge

Dated: 1-12-09